

OPINION 2273 (Case 3497)***Cyphon palustris* Thomson, 1855 (Insecta, Coleoptera): specific name conserved**

Abstract. The Commission has conserved the specific name of the widespread Palaearctic marsh beetle *Cyphon palustris* Thomson, 1855 (SCIRTIDAE), published as a junior primary homonym of *Cyphon palustris* Germar, 1818 (currently *Eubria palustris*, PSEPHENIDAE) by ruling it to be not invalid by reason of being a junior primary homonym.

Keywords. Nomenclature; taxonomy; Insecta; Coleoptera; SCIRTIDAE; PSEPHENIDAE; *Cyphon*; *Eubria*; *Cyphon palustris*; *Eubria palustris*; marsh beetles; water penny beetles; Palaearctis.

Ruling

- (1) Under the plenary power it is hereby ruled that the name *palustris* Thomson, 1855, as published in the binomen *Cyphon palustris*, is not invalid by reason of being a junior primary homonym of *palustris* Germar, 1818, as published in the binomen *Cyphon palustris*.
- (2) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *palustris* Thomson, 1855, as published in the binomen *Cyphon palustris* (with the endorsement that it is not invalid by reason of being a junior primary homonym of *palustris* Germar, 1818, as published in the binomen *Cyphon palustris*, as ruled in (1) above);
 - (b) *palustris* Germar, 1818, as published in the binomen *Cyphon palustris*.

History of Case 3497

An application to conserve the specific name of the widespread Palaearctic marsh beetle *Cyphon palustris* Thomson, 1855 (SCIRTIDAE), published as a junior primary homonym of *Cyphon palustris* Germar, 1818 (currently *Eubria palustris*, PSEPHENIDAE) by ruling it to be not invalid by reason of being a junior primary homonym was received from Oscar Vorst (*National Museum of Natural History, Naturalis, Leiden, The Netherlands*) on 25 June 2009. After correspondence the case was published in BZN 66: 323–326 (December 2009). The title, abstract and keywords of the case were published on the Commission's website. No comments were received on this case.

Decision of the Commission

On 1 December 2010 the members of the Commission were invited to vote on the proposals published in BZN 66: 324. At the close of the voting period on 1 March 2011 the votes were as follows:

Affirmative votes – 24: Ballerio, Bogutskaya, Bouchet, Brothers, Fautin, Grygier, Halliday, Harvey, Kojima, Kottelat, Krell, Kullander, Minelli, Lamas, Pape, Papp, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 1: Lim.

Alonso-Zarazaga, Ng and Pyle were on leave of absence.

Voting FOR, Grygier said he cannot understand what is meant by the word ‘available’ cited in paragraph 1 in the Case, as in this context, Article 11.9.3.6 has nothing to do with the ‘availability’ of the transfer of a nominal species from one genus to another; in fact, the concept of ‘availability’ is inapplicable to such transfers.

Original references

The following are the original references to the names placed on Official Lists by the ruling given in the present Opinion:

palustris, *Cyphon*, Thomson, 1855, *Öfversigt af Kongliga Vetenskaps-Akademiens Förhandlingar*, **12**: 320.

palustris, *Cyphon*, Germar, 1818, *Magazin der Entomologie (Germar)*, **3**: 238.